



MAINE *FORESTER NEWS*

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New Legislation Proposed

The Department of Professional and Financial Regulation has submitted legislation on the Board's behalf to make minor changes to the Forester Licensing Act. The proposed legislation, if enacted, will change the Board's rulemaking authority, amend the renewal requirements for late renewals and amend the reference requirements for intern foresters.

Rulemaking Authority

The proposed legislation will change two rulemaking provisions (32 MRSA §§5514[3] and 5515[10]) from "major substantive rule" to "minor technical". This proposal, if enacted, will allow the Board to adopt changes to Chapter 50, the variance option for intern foresters, and Chapter 90, registration requirements for supervising foresters, by rulemaking without having the changes approved by the Legislature. Currently, only Chapters 50 and 90 require legislative approval. The Department was encouraged to seek this change by the Business and Economic Development Committee after the Committee's review of the Board's proposed changes to Chapter 50 and 90 during the the second regular session of the 120th Legislature.

Late Renewal Process

The proposed legislation will give the Board the authority to waive the examination and internship requirement for those foresters who renew after 90 days but within two years of license expiration. A late penalty fee would be assessed and the renewal applicant must comply with the continuing education requirement. In addition, intern forester renewal applicants who renew more than 90 days after license expiration would be required to comply with the continuing education requirement and pay a late penalty fee. Currently, licensees who renew after 90 days from the license expiration date must meet all requirements for new applicants, including the internship and examination.

References for Intern Foresters

The proposed legislation will remove the current requirement limiting the three references to persons not related to the applicant.

HON. SUMNER JONES, Jr. APPOINTED AS NEWEST BOARD MEMBER

On August 28, 2002, Governor Angus King appointed the Hon. Sumner A. Jones, Jr. of Pittsfield as the newest public member of the Board of Licensure of Foresters.

Jones was a member of the 117th, 118th and 119th State Legislatures and has held a number of positions in local government, including selectman, town councilman and mayor. Jones is also a member of several community service organizations and is Past Master of his Masonic Lodge and local Grange as well as Past President of the Kiwanis and County Farm Bureau.

Jones is a World War II Navy veteran, was a dairy farmer for 19 years and worked in the insurance industry for 28 years.

Jones' hobbies include gardening, golf and biking. He and his wife, Barbara, have seven children and live in Pittsfield, where he has resided for 55 years.

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foresters online

Have you just applied for a new license or renewed your existing license and want to know your status? Do you need quick access to your license number or expire date? Would you like to check the status of another forester's license? All that and more is available with the "Find a Licensee" feature on the Office of Licensing & Registration's (OLR) website at www.maineprofessionalreg.org.

Licensee records include:

- Name and license number
- Date of first license
- Status of the license, i.e., active, expired or inactive* (*intern forester taken out of active status for lack of supervising forester)
- Issue date (date the last licensing transaction for this license took place, i.e., the date the license was renewed, expired or placed inactive)
- Current license expire date
- Type of license (Forester, Intern Forester)

To use "Find a Licensee", go to www.maineprofessionalreg.org to open OLR's home page and click on "Find a Licensee". We recommend you read the instruction page before performing your search, but here are a few hints to help you get started:

- DO NOT include punctuation or suffixes (i.e., Jr., Sr., II, ect.)
- For hyphenated names, type in part of the name and the % wildcard, i.e. search for Mary Smith-Jones as Smith%.
- If using a license number as search criteria, be sure to enter the entire license number, including the two letter pre-fix.
- Usually, first and last names are sufficient data to perform the search. The search engine will attempt to match all the criteria you enter. Therefore, the more information you enter, the greater chance for error and a botched search. In most cases, less is more and will give better results.

Once the search results are displayed, just click on the underlined name to see the details.

LICENSE STATISTICS

DID YOU KNOW THAT

- The Forester Licensing Act was enacted in December 1975 ...
- In 1978 there were 459 licensed foresters ...
- The number of licensed foresters peaked in 1990 with 1,050 licensees ...
- As of November 2002 there are 858 licensees (830 licensed foresters and 28 intern foresters) ..

Of the 858 licensees:

367 (43%) were licensed between 1975 and 1982

339 (39%) were licensed between 1983 and 1992

152 (18%) were licensed between 1993 and 2002.

The number of licensees by county:

Penobscot	188	Cumberland	41	Lincoln	21	All Resident Licensees	726
Aroostook	77	Piscataquis	36	Waldo	17		
Kennebec	70	Washington	36	Knox	11	Non-resident Licensees	132
Franklin	56	York	23	Sagadahoc	9		
Oxford	51	Hancock	22				
Somerset	47	Androscoggin	21				

SUPERVISION OF UNLICENSED INDIVIDUALS

The Forester Licensing Act defines a supervisor to mean a forester who is responsible for the activities of an unlicensed person providing services under the direction of the forester [32 MRSA §5501 (8)]. In addition, the statute requires the supervising forester to register with the Board pursuant to rules adopted by the Board [Chapter 90]. Since the enactment of the registration requirement, only four foresters have registered with the Board.

If you do have an unlicensed individual providing forestry services under your direction, you must comply with the provisions of Chapter 240 to avoid an allegation of unlicensed conduct against the individual and a complaint filed against your license for non-compliance with the statute and board rule. An individual who practices forestry without a license may be subject to both criminal and civil penalties. Foresters found in violation of the statute and board rules may be subject to sanctions including fines and license suspension or revocation. In addition to the possible sanctions, license applicants qualifying for an intern forester license under the variance provision (Chapter 50 of the Board rules) must demonstrate four years of lawful work experience. To ensure that the work experience gained over the four years is lawful, the supervising forester must register annually with the Board.

WHAT DO YOU NEED TO DO TO BE IN COMPLIANCE?

- **WRITTEN AGREEMENT**

Chapter 90 requires the supervising forester to have a written agreement with the unlicensed individual. The terms of the agreement are specified in Chapter 90 (1)(3). In addition, the forester is required to retain a copy of the written agreement for one year following the termination of the supervision and is required to provide a copy of the agreement to the Board if requested.

- **RESPONSIBILITY FOR ACTIVITIES OF THE UNLICENSED INDIVIDUAL**

The supervising forester is required to provide direction and supervision to all unlicensed individuals registered with the Board and is responsible for the forestry related practices of the unlicensed individual(s).

- **REGISTER WITH THE BOARD**

The supervising forester must register annually with the Board at the time of license application or renewal. The registration information to be filed is found in Chapter 90 (2). To facilitate the registration process, the Board has created a registration form. The form is available on the Board's home page (www.maineprofessionalreg.org) and a copy of the form is enclosed in this edition of the newsletter.

If you have any questions regarding the registration process, please contact the Board by calling (207) 624-8521 or by e-mail (Deborah.A.Fales@maine.gov).

2003 Board Meeting & Exam Schedule

Board meetings are open to the public and are held at the Department of Professional & Financial Regulation offices on 122 Northern Avenue in Gardiner. Meeting dates and times are subject to change and the Board recommends you call in advance if you plan to attend.

Board Meeting Dates	April 23, 2003	8:30 AM	Androscoggin Room
	August 20, 2003	8:30 AM	Androscoggin Room
	November 19, 2003	8:30 AM	Androscoggin Room
Exam Dates	March 31, 2003	8:00 AM	Kennebec Room
	October 27, 2003	8:00 AM	Kennebec Room

BOARD MEMBERS

William D. Ostrofsky, Chair
Forester

☞ Veazie ☞

Stephen F. Holt, Vice Chair
Forester

☞ Manchester ☞

Hon. Sumner A. Jones, Jr.
Public Member

☞ Pittsfield ☞

Rene D. Noel, Jr.
Complaint Officer
Forester

☞ North Windham ☞

Carol L. Redelsheimer
Forester

☞ Orono ☞

Forester Seat

☞ Vacant ☞

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*Maine Board of Licensure of Foresters
35 State House Station
Augusta ME 04333-0035*

THE BOARD'S HOME PAGE

Have you had a look at the Board's homepage lately? Some of the features you'll find include

- license qualifications and links to download licensing applications ...
- minutes of the Board's meetings...
- access to the latest laws & rules...
- access to the Department's disciplinary data base....
- Find a Licensee search mechanism (*see Foresters Online on page 2*)...
- information about the new registration requirement for supervisors of unlicensed personnel...
- calendar of events listing upcoming board meetings and the forester exam schedule...
- online copies of the Board's newsletters, and more

Just go to
www.maineprofessionalreg.org

Click on the green menu button titled "View List of Licensed Professions" and choose "Foresters". Check in often for the latest board news.

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WEB www.maineprofessionalreg.org

REPORTING CHANGES TO YOUR LICENSE

Pursuant to 32 MRSA §5512, all foresters are required to report *any* change to the license no later than 30 days after the change actually takes place. This includes a change of name, mailing address or sponsor. Reporting a change of address in particular is important to ensure that you receive your renewal notice and other important Board mailings, such as your license and this newsletter. You may report changes to the licensing clerk, Deborah Fales, by mail, fax or email (see above).

DEPARTMENT OF PROFESSIONAL
& FINANCIAL REGULATION
BOARD OF LICENSURE OF FORESTERS
35 STATE HOUSE STATION
AUGUSTA, ME 04333

PRSR STD
U.S. POSTAGE
PAID
PERMIT NO. 8
AUGUSTA, ME

STATE OF MAINE
BOARD OF LICENSURE OF FORESTERS
35 State House Station Augusta ME 04333-0035
Office Phone (207) 624-8521 FAX (207) 624-8637

REGISTRATION OF UNLICENSED INDIVIDUALS

SUPERVISOR INFORMATION (please print or type)

NAME: _____

LICENSE NUMBER: _____

BY SUBMITTING THIS REGISTRATION, I UNDERSTAND THAT I AM OBLIGATED TO DIRECT AND SUPERVISE THE FORESTRY ACTIVITIES OF THE REGISTRANT(S) IDENTIFIED HEREIN. I ALSO UNDERSTAND THAT I AM RESPONSIBLE FOR ALL ACTIVITIES OF A REGISTRANT RELATING TO THE PRACTICE OF FORESTRY THAT ARISE FROM OR ARE RELATED TO THE EMPLOYMENT, PARTICULAR PROJECT, ASSIGNMENT, CONTRACT OR SUBCONTRACT RECORDED ON THIS REGISTRATION, WHETHER OR NOT SUCH ACTIVITIES ARE AUTHORIZED BY THE EMPLOYER, OWNER OR CONTRACTOR.

SIGNATURE OF SUPERVISING FORESTER

DATE

REGISTRANT INFORMATION (attach additional pages as necessary)

NAME: _____

HOME ADDRESS: _____

HOME TELEPHONE: _____

EMPLOYER: ☐ SUPERVISOR ☐ SUPERVISOR'S EMPLOYER

☐ OTHER (NAME AND ADDRESS) _____

IS THE REGISTRANT A REGULAR EMPLOYEE OF THE EMPLOYER DESIGNATED ABOVE? YES ☐ NO ☐ IF NOT, PLEASE SUPPLY THE FOLLOWING ADDITIONAL INFORMATION FOR THIS REGISTRANT:

GEOGRAPHIC AREA(S) OF EMPLOYMENT:

DESCRIPTION OF ANTICIPATED ACTIVITIES:

PARTICULAR PROJECT, ASSIGNMENT, CONTRACT OR SUBCONTRACT THE REGISTRANT WILL BE WORKING ON OR UNDER:

ANTICIPATED WORK HOURS:

ANTICIPATED DURATION OF EMPLOYMENT:

REGISTRANT INFORMATION (attach additional pages as necessary)

NAME: _____

HOME ADDRESS: _____

HOME TELEPHONE: _____

EMPLOYER: ☐ SUPERVISOR ☐ SUPERVISOR'S EMPLOYER

☐ OTHER (NAME AND ADDRESS) _____

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HOME ADDRESS: _____

HOME TELEPHONE: _____

EMPLOYER: ☐ SUPERVISOR ☐ SUPERVISOR'S EMPLOYER

☐ OTHER (NAME AND ADDRESS) _____

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